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### REMARKS

Claims 1-17 are currently pending. Claims 1-17 are rejected. Claims 1, 3, 4, and 17 are amended.

The Notice of Non-Compliant Amendment/Advisory Action indicated that "The claims includes underlining of non-new subject matter that has been previously presented (ex. Underlining beginning in claim 1, line 11 of the presented amendment)." Assignee submits that the claim limitation "occupying an amount of memory in a first memory," initially preceded the claiming limitation "one or more data words between the first data word and the last data word". The amendment seeks to make "occupying an amount of memory in a first memory" follow "one or more data words between the first data word and the last data word". Thus, to indicate the changes, Assignee respectfully submits that it is proper to underline and bracket the insertions and deletions necessary to effectuate this change.

The Notice of Non-Compliant Amendment/Advisory Action also indicated that "The status of claims 3, 4, and 17 is not known. Claims 3 recite 'Original' but then include an amendment. Claim 17 recites "Amended" but does not point out (using underlining) the amendment to the claim." Assignee has corrected the status of claims 3 and 4 to indicate "Amended". Claim 17 includes underlining to indicate the amendment to the claim.

Turning now to the Final Office Action of May 10, 2006, Claims 1-8, and 17 were rejected under 35 U.S.C. 112 for being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1, 3, 4, and 17 are amended an in view of the amendments, it is believed that these claims overcome the 35 U.S.C. 112 rejection, as well dependent claims 2 and 5-8.

Claim 1, 9, and 17 were rejected as obvious under 35 U.S.C. 103(a) as obvious from the combination of Stohs in view of Tanaka. Stohs is directed to "Recovery of Stored Data from Multilated Tape Data Blocks." Stohs, Title. In Stohs, "Upon receiving a request for the block of data, the controller causes a tape drive (108) to read the block from the tape. The controller stores the read data in a buffer memory (111) that is at least the size of the data block." Id., Abstract.

Tanaka is directed to a "Printer Controller and System having a DMA Data Transmission". Tanaka, Title. In Tanaka, "When the capacity of the image memory is smaller than the image data size of the page, the page image data is compressed and then transmitted to the image memory by DMA data transmission."

Examiner has indicated that "it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the teachings of Stohs to include the smaller memory because doing so would allow for a smaller physical size of the system".

Assignee respectfully submits if the "buffer memory (111) that is at least the size of the data block" in Stohl was modified to "a second memory comprising less than the amount of memory occupied by" the data block as taught by Tanaka, there would not be enough memory to store the data block. Stohl does not present a solution to this problem (because Stohl teaches using "buffer memory (111) that is at least the size of the data block"). Tanaka proposes that "When the capacity of the image memory is smaller than the image data size of the page, the page image data is compressed and then transmitted to the image memory". Tanaka, Col. 2, Lines 5-8. If the "page image data is compressed and then transmitted to the image memory", then it is the compressed page image that is transmitted to the image memory. In contrast, claims 1, 9, and 17 recite (among other limitations) "storing the sequential portion, in a second memory".

Accordingly, Assignee respectfully traverses the rejection of claims 1, 9, and 17 as obvious from the combination of Stohl and Tanaka.

Additionally, Assignee respectfully submit that Stohl teaches away from Tanaka. As noted above, Stohl specifically teaches a "the buffer memory (111) that is at least the size of the data block". This alone, teaches away from combination including a smaller memory as suggested by Examiner. Examiner has indicated that "it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the teachings of Stohs to include the smaller memory because doing so would allow for a smaller physical size of the system". As noted above, doing so would present the problem that there wouldn't be enough memory to store the data block. Tanaka's solution, "the page image data is compressed" would introduce additional requirements that would increase the physical size of the system. Accordingly, Assignee respectfully submit that one of ordinary skill in the art would not be motivated to modify Stohs in view of Tanaka for the purpose of reducing the physical size of the system.

Accordingly, Examiner is requested to withdraw the rejection to claims 1, 9, and 17, as well as to dependent claims 2-8, and 10-16.

### CONCLUSION

For at least the foregoing reasons, each of the pending claims are allowable, making the application in a condition for allowance. Examiner is requested to pass this case to issuance. To the extent that any monies are

required for the actions requested herein in addition to any funds transmitted herewith, Commissioner is hereby authorized to charge the same to account no. 13-0017.

RESPECTFULLY SUBMITTED



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